

Message Text

UNCLASSIFIED

PAGE 01 GENEVA 04116 01 OF 02 031731Z

46

ACTION L-03

INFO OCT-01 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

IO-13 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /247 W

----- 001251

R 031353Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 966

INFO AMEMBASSY ANKARA

AMEMBASSY BEIRUT

AMEMBASSY CARACAS

AMEMBASSY LIMA

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY MEXICO CITY

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY SOFIA

AMEMBASSY TUNIS

AMEMBASSY VALLETTA

USMISSION USUN

UNCLAS SECTION 1 OF 2 GENEVA 4116

E.O.11652 NA

TAGS PBOR UN

SUBJ LOS: SEABED COMMITTEE MEETING, SUBCOMMITTEE II

WORKING GROUP, AUGUST 2, 1973

1. SUMMARY. SCII WG CONTINUED DISCUSSION OF FIRST
DRAFT ARTICLE ON TERRITORIAL SEA BASED ON CONSOLIDATED
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 GENEVA 04116 01 OF 02 031731Z

TEXT OF PROPOSALS BEFORE SCII. PRECISE METHODS OF WORK

IN SC WG OF WHOLE REMAINED UNCLEAR.

2. CHAIRMAN DISTRIBUTED INFORMAL DOCUMENT CONTAINING FOUR ALTERNATIVE TEXTS ON FIRST ARTICLE ON TERRITORIAL SEA BASED ON PRIOR DAY'S DISCUSSION. TEXT DID NOT CONTAIN BRACKETS BUT WAS ATTEMPT TO STATE DISTINCTLY EACH OF FORMULATIONS BEFORE WG.

3. TURKISH REP SUGGESTED THAT WG NOT FOLLOW ORDER IN CONSOLIDATED TEXT BUT GO DIRECTLY FROM PRESENT ITEM TO ARTICLE ON BREADTH OF TERRITORIAL SEA.

4. VENEZUELAN REP POINTED OUT SEVERAL DISCREPANCIES IN INFORMAL ALTERNATIVES JUST DISTRIBUTED. HE DISAGREED WITH TURKISH PROCEDURAL SUGGESTION AND FAVORED FOLLOWING ORDER OF ITEMS IN CONSOLIDATED TEXT. REP INDICATED THAT WG MIGHT HAVE TWO STAGES: FIRST, CO-SPONSORS OF TEXTS COULD MEET TO REDUCE PROPOSALS TO SEVERAL ALTERNATIVE FORMULATIONS. SECOND, RESULTS OF THESE CONSULTATIONS WOULD BE REPORTED TO WG.

5. MALTESE REP STATED DISSATISFACTION WITH FORMULATION OF HIS PROPOSAL IN FOUR ALTERNATIVES DOCUMENT. HE EXPRESSED PREFERENCE FOR USE OF BRACKETS TO EXPRESS DIFFERENCES. HE FELT MORE LOGICAL PROCEDURE WAS TO FOLLOW ORDER IN CONCOLIDATED TEXT.

6. PHILIPPINE REP CRITICIZED TWO ASPECTS OF FOUR ALTERNATIVES DOCUMENT. HE SUGGESTED USE OF TERM "SPECIFIED AREA" IN STEAD OF "BELT" IN DESCRIPTION OF TERRITORIAL SEA. HE ALSO RECOMMENDED THAT TERRITORIAL SEA BE MEASURED FROM BASELINES AS WELL AS COASTS TO TAKE INTO ACCOUNT POSITION OF ARCHIPELAGIC STATES.

7. SOVIET REP FULLY ENDORSED TURKISH PROPOSAL ON ORDER OF WORK. HE ALSO STATED THAT SOVIETS WERE NOT, IN PRINCIPLE, OPPOSED TO REFERENCE TO TERRITORIAL SOVEREIGNTY BEING SUBJECT OT OTHER RULES OF INTERNATIONAL LAW.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 GENEVA 04116 01 OF 02 031731Z

8. US REP (JOHN R. STEVENSON) DISAGREED WITH MALTESE SUGGESTION REGARDING USE OF BRACKETS TO EXPRESS DIFFERENCES. HE POINTED OUT ALL WOULD BENEFIT FROM HAVING CLEAR ALTERNATIVE TEXTS. HE SUGGESTED THAT MALTA AND THE PHILIPPINES INSERT ADDITIONAL LANGUAGE THEY DESIRED INTHEIR ALTERNATIVES BEFORE WG RATHER THAN AMENDING OTHER GROUP'S ALTERNATIVES. HE ALSO SUGGESTED THAT ANOTHER ALTERNATIVE MIGHT BE ADDED TO RELFECT VENEZUELAN POSITION

ON WHETHER SOVEREIGNTY "EXTENDS" OR "IS EXERCISED".
REP STATED THAT POINT OF VIEW OF ALL DELEGATIONS
SHOULD BE ACCURATELY REFLECTED. HOWEVER, FOURTH ALTERNATIVE
BEFORE WG CONTAINED SPECIFIC 200-MILE FIGURE ON
BREADTH OF TERRITORIAL SEA WHICH WAS IRRELEVANT UNDER
THIS ARTICLE AND SHOULD BE DELETED. US ENDORSED PRO-
CEDURAL SUGGESTIONS MADE BY VENEZUELA AND TURKEY.

9. IRAQI REP SEVRERELY CRITICIZED FOUR ALTERNATIVES AS
NOT ACCURATELY REFLECTING VIEWS STATED ON PRIOR DAY.
(REP THEN WENT THROUGH EACH ALTERNATIVE POINTING OUT
WHAT WERE, IN HIS EYES, SERIOUS SHORTCOMINGS).

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 GENEVA 04116 02 OF 02 031754Z

44
ACTION L-03

INFO OCT-01 AF-10 ARA-16 EUR-25 NEA-10 IO-13 ADP-00 EA-11

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /247 W
----- 001423

R 031353Z AUG 73
FM USMISSION GENEVA
TO SECSTATE WASHDC 967
INFO AMEMBASSY ANKARA
AMEMBASSY BEIRUT
AMEMBASSY CARACAS
AMEMBASSY LIMA
AMEMBASSY LONDON
AMEMBASSY MADRID
AMEMBASSY MEXICO CITY
AMEMBASSY MOSCOW
AMEMBASSY PARIS
AMEMBASSY SOFIA
AMEMBASSY TUNIS

AMEMBASSY VALLETTA
USMISSION USUN

UNCLAS SECTION 2 OF 2 GENEVA 4116

10. SPAIN SUPPORTED VENEZUELAN PROCEDURAL SUGGESTION FOR TWO-PHASE APPROACH TO WORK. REP ALSO SUPPORTED POSITION OF THE PHILIPPINES REGARDING TERRITORIAL SEA BEGINNING FROM BASELINES. SPAIN FAVORED VENEZUELAN AND MALTESE POSITIONS REGARDING TAKING ITEMS IN CONSOLIDATED TEXT IN ORDER PRESENTED.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 GENEVA 04116 02 OF 02 031754Z

11. LEBANESE REP POINTED OUT THAT 15 WORKING DAYS REMAINED IN SESSION AND THAT WG HAD DEVOTED TWO DAYS OF DISCUSSION TO FIRST ARTICLE. MORE EXPEDITIOUS METHOD OF WORK HAD TO BE FOUND. DRAFTING GROUP WAS NEEDED TO FORMULATE ALTERNATIVE TEXTS. GROUP MIGHT CONSIST OF TWO OR THREE REPRESENTATIVES FROM EACH REGIONAL GROUP. PURPOSE OF GROUP WOULD BE TO DECIDE ON FORM NOT SUBSTANCE.

12. BULGARIAN REP AGREED THAT BRACKETS SHOULD NOT BE USED AS MIXTURE OF OPPOSITE IDEAS OFTEN LED TO CONFUSION. HE THEN CRITICIZED SPECIFIC ASPECTS OF FOUR ALTERNATIVES DOCUMENT. REP CONCLUDED BY SAYING THAT HE WOULD AGREE TO SAY SUGGESTION ON METHOD OF PROCEDURE SO LONG AS SC GOT DOWN TO WORK.

13. PERUVIAN REP SUPPORTED TERRITORIAL SEA BEGINNING ADJACENT TO BASELINE AROUND ARCHIPELAGOS. REP DID NOT AGREE WITH US THAT FIGURE OF 200 MILES SHOULD BE DELETED IN PRESENT ARTICLE AS THIS WAS SUBSTANTIVE ISSUE WHICH PERU COULD NOT ALTER.

14. UK REP MADE SEVERAL TECHNICAL COMMENTS ON DRAFT ALTERNATIVES AND STATED THAT FORMULA ON ARCHIPELAGOS WENT FURTHER THAN SUPPORTERS HAD INTENDED. (TEXT AS WRITTEN IMPLIED THAT REGIME OF INTERNAL WATERS EXISTED WITH ARCHIPELAGIC BASELINES.).

15. MEXICAN REP STATED THAT PROCEDURES WERE VERY CONFUSING WHEN DELEGATES SPOKE OF SUPPORTING OR REJECTING VARIOUS ALTERNATIVES. ALTERNATIVES SHOULD SIMPLY REFLECT DIVERSITY OF VIEW EXPRESSED YESTERDAY. IF POINTS OF VIEW NOT REFLECTED, THEN ADDITIONAL TEXT WAS NECESSARY.

16. FRENCH REP GAVE LENGTHY STATEMENT ON SUBSTANCE OF FOUR ALTERNATIVES UNDER CONSIDERATION. HE SUGGESTED

FOLLOWING TEXT FOR FIRST ARTICLE: "(1) THE SOVEREIGNTY OF A COASTAL STATE EXTENDS OFF ITS SHORES TO A ZONE OF MAXIMUM BREADTH OF...CALLED THE TERRITORIAL SEA.
(2) THIS SOVEREIGNTY IS EXERCISED WITHOUT PREJUDICE TO THE RIGHT OF INNOCENT PASSAGE AS DEFINED IN ARTICLE
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 GENEVA 04116 02 OF 02 031754Z

..." (N.B. EXACT TEXT MAY VARY SOMEWHAT DUE TO DISCREPANCIES WITH ORAL TRANSLATION).

17. UKRAINIAN REP STRESSED THAT ALTERNATIVES SHOULD REFLECT DELEGATIONS' POSITIONS. DELEGATES SHOULD CONCENTRATE ON ALTERNATIVES THEY ADVOCATED AND NOT TRY TO IMPROVE ALTERNATIVES SUGGESTED BY OTHERS. REP ALSO BELIEVED THAT QUESTION CONCERNING BOUNDARY OF ARCHIPELAGOS SHOULD BE CONSIDERED WHEN ITEM ON ARCHIPELAGOS CAME UP FOR DISCUSSION. REP SUPPORTED TURKISH PROCEDURAL SUGGESTION ON ORDER OF WORK AS WELL AS THAT OF VENEZUELA REGARDING TWO-PHASE APPROACH TO WORK. INDONESIA COMMENTED THAT ARCHIPELAGIC QUESTION MUST BE CONSIDERED NOW.

18. US REP RESPONDED TO PERU. IN NO SENSE WAS US TRYING TO IMPROVE TEXT SUGGESTED BY ANOTHER. US FAVORED REAL ALTERNATIVES REFLECTING DIFFERENT POINTS OF VIEW. REFERENCE TO SPECIFIC LIMIT SHOULD BE IN ARTICLE 2.3.2 AND ACCORDING TO US UNDERSTANDING OF "LIST", WAS NOT RELEVANT UNDER THIS SUBJECT. IF ONE LIMIT WERE MENTIONED THEN ONLY FAIR WAY WOULD BE TO PRESENT ALL ALTERNATIVE LIMITS; THAT PROCEDURE WOULD NOT ADVANCE WORK OF SC.

19. CHAIRMAN CONCLUDED SESSION BY NOTING THAT CONSENSUS APPEARED TO EXIST ON NOT USING BRACKETS BUT, INSTEAD, ON FORMULATING DISTINCT ALTERNATIVE TEXTS. DELEGATES SHOULD NOT CRITICIZE ALTERNATIVE TEXTS SUBMITTED BY OTHERS BUT SHOULD SUBMIT THEIR OWN ARTICLES. TASK AT THIS TIME WAS TO PRESENT ARTICLES; REDUCTION OF ALTERNATIVES WOULD OCCUR AT LATER STAGE. HE URGED DELEGATIONS NOT TO INSIST TOO STRONGLY ON INCLUDING ALL POSITIONS. (PARTICULARLY WHEN SUBSEQUENT OPPORTUNITY EXISTED FOR PRESENTATION OF POINT OF VIEW). HE NOTED THAT LEBANESE REP HAD STATED THAT THERE MIGHT BE 100 ARTICLES IN DRAFT WITH, PERHAPS, FOUR ALTERNATIVES. HE REQUESTED MEMBERS TO REFLECT ON METHOD OF WORK AND TO MAKE SUGGESTIONS AT NEXT MEETING. BASSIN

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 03 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973GENEVA04116
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730860/aaaabrwrm.tel
Line Count: 272
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: thigpegh
Review Comment: n/a
Review Content Flags:
Review Date: 22 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <22-Aug-2001 by reddocgw>; APPROVED <25-Jan-2002 by thigpegh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: SEABED COMMITTEE MEETING, SUBCOMMITTEE II WORKING GROUP, AUGUST 2, 1973
TAGS: PBOR, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005